

REMARKS

All outstanding requirements will now be addressed in the order they appear in the Office Action mailed June 13, 2008.

Claim Rejections – 35 USC § 102

Claim 1 stands rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Pat. No. 5,244,013 to Gagas (“Gagas ‘013”).

Applicants have amended claim 1 to distinguish from Gagas ‘013. Applicants respectfully submit that the valve rod in Gagas ‘013 is not centrally disposed with respect to said moving valve disk and said fixed valve disk. A central position of the valve rod reduces torque loads and leads to a longer life time.

Applicants have added new claims 4-8 which further distinguish from Gagas ‘013. With respect to claims 4 and 8, a central position of the valve rod allows it to be turned manually or by an engine (new claim 4) from outside the valve body (new claim 8). With respect to claim 5, the moving valve disk and the fixed valve disk in Gagas ‘013 are not planar. The rotor member 60 in Gagas ‘013 is a pyramidal structure, and so is the lower valve section 42. With respect to claims 6 and 7, the seal in Gagas ‘013 is provided by gaskets and other flexible sealing disks which are prone to failure. With respect to claims 9 and 10, the effluent outlet 68 in Gagas ‘013 is disposed centrally at the top of the valve, i.e., above the water inlet and water outlet ports.

Applicants respectfully request withdrawal of the rejection over the claims as amended.

Allowable Subject Matter

Applicants note with appreciation that the Examiner considers subject matter of claims 2 and 3 allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have amended claims 2 and 3 as kindly suggested by the Examiner.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission only be charged to **Deposit Account No. 503182**.

Customer Number: **33,794**

Respectfully Submitted,

/Matthias Scholl/

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